

EXHIBIT "A"



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

March 9, 2018

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**CERTIFIED MAIL - RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL**

Richard Ira Horowitz, MD
4232 Albany Post Rd
Hyde Park, NY 12538

RE: OPMC # CR-18-02-1299A

Dear Dr. Dr Horowitz:

Pursuant to authority granted to the Office of Professional Medical Conduct (OPMC) under Section 230-10(l) of the New York State Public Health Law (see below), I hereby request a copy of the complete medical record of patient **G. D. ;**

This record should include copies of any and all x-ray films and reports, laboratory tests, medication sheets and all other documents in the patient file. Any written explanation of the record may accompany the file but cannot be accepted in lieu of it.

Public Health Law Section 230.10

(l) The board or its representatives may examine and obtain records of patients in any investigation or proceeding by the board acting within the scope of its authorization. Unless expressly waived by the patient, any information so obtained shall be confidential and shall not be disclosed except to the extent necessary for the proper function of the board and the name of the patient may not be disclosed by the board or its employees at any stage of the proceedings unless the patient has expressly consented. Any other use or dissemination by any person by any means, unless pursuant to a valid court order or otherwise provided by law, is prohibited.

HIPAA regulations, 45 C.F.R. Part 164.512 (see below) authorizes disclosure, without patient consent, to a public health authority that is authorized by law to conduct public health investigations.

HIPAA regulations, 45 C.F.R. Part 164.512

(d) Standard: uses and disclosures for health oversight activities.

(1) Permitted disclosures. A covered entity may disclose protected health information to a health oversight agency for oversight activities authorized by law, including audit; civil administrative or criminal investigations; inspections licensure or disciplinary actions.

I have enclosed a certification form to be completed and returned with the requested records.

NEW YORK STATE EDUCATION LAW SECTION 6530-28 REQUIRES YOU TO COMPLY WITH THIS REQUEST. FAILURE TO DO SO MAY BE CONSIDERED MISCONDUCT. YOU MUST RESPOND TO THIS REQUEST WITHIN 30 DAYS OF RECEIPT OF THIS LETTER.

Please address your response to my attention at: New York State Department of Health, Office of Professional Medical Conduct, NYS DOH-OPMC, Riverview Center, 150 Broadway, Suite-355, Albany, New York, 12204-2719.

If you have any questions pertaining to this request, I can be reached at (518) 408-0216.

Sincerely,

A handwritten signature in black ink, appearing to read 'AB' followed by a stylized flourish.

Amy Belawski, RN
Nurse Investigator
Office of Professional Medical Conduct

Enclosure